

Remarks

Applicants wish to thank the Examiner for giving his time for our personal interview on March 20, 2003.

Reconsideration of this Application is respectfully requested.

Claims 23-66 are sought to be cancelled without prejudice to the subject matter claimed therein. Applicants reserve the right to pursue the subject matter of these canceled claims in one or more continuing applications. Claims 67-73 are sought to be added. Upon entry of the foregoing amendment, claims 67-73 are pending in the application, with claim 67 being the sole independent claim. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

Claims 23-66 have been rejected under 35 U.S.C. § 112, paragraph 2. Applicants traverse this rejection. In any event, Applicants herein have cancelled claims 23-66, thereby rendering the rejection moot. Applicants respectfully request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 102(b)/103(a)

§ 102/§ 103 Rejections Based On Stanescu

Claim 23 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Stanescu, *et al.*¹ ("Stanescu"). Claims 24, 25, 30, 32, 34, 35, 37, 38, 40, 41, 46, 48, 50-52, 57, 59, 61, 62, 64 and 65 have been rejected under 35 U.S.C. § 103(a) as having been obvious over Stanescu. Applicants traverse this rejection.

In any event, Applicants have cancelled claims 23-66, thereby rendering this rejection moot. Accordingly, Applicants respectfully request that the rejection be withdrawn.

§ 102/§ 103 Rejections Based on Sehajpal

Claim 23 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Sehajpal, *et al.*² ("Sehajpal"). Claims 24, 30, 34, 35, 37-40, 46, 50, 51, 57, 61, 62 and 64-66 have been rejected under 35 U.S.C. § 103(a) as having been obvious over Sehajpal. Applicants traverse this rejection.

In any event, Applicants have cancelled claims 23-66, thereby rendering this

¹ Stanescu, *et al.*, "Proteoglycan Electrophoresis on Horizontal Submerged Polyacrylamide-Agarose Gels," *Connective Tissue Research*, 1987, vol. 16, pp. 71-77.

² Sehajpal, *et al.*, "Detection of GLO-I Isozymes in Human Blood by a Rapid Method," *Annals of Biology*, Vol. 2, No. 1, pp. 90-92, 1986.

rejection moot. Accordingly, Applicants respectfully request that the rejection be withdrawn.

§ 102/§ 103 Rejections Based on Salvatore

Claims 23 and 40 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Salvatore, *et al.*³ ("Salvatore"). Claims 24, 34, 35, 37, 38, 40, 50, 51, 61, 62, 64 and 65 have been rejected under 35 U.S.C. § 103(a) as having been obvious over Salvatore. Applicants traverse this rejection.

In any event, Applicants have cancelled claims 23-66, thereby rendering this rejection moot. Accordingly, Applicants respectfully request that the rejection be withdrawn.

§ 102/§ 103 Rejections Based on Chevigné

Claims 23 and 40 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Chevigné, *et al.* U.S. Patent No. 5,246,558 ("Chevigné"). Claims 24, 34, 35, 37-40, 50, 51, 61, 62 and 64-66 have been rejected under 35 U.S.C. § 103(a) as having been obvious over Chevigné. Applicants traverse this rejection.

In any event, Applicants have cancelled claims 23-66, thereby rendering this rejection moot. Accordingly, Applicants respectfully request that the rejection be withdrawn.

³ Salvatore, *et al.*, "Agarose Gel Electrophoresis System for the Separation of Antibiotics Used in Animal Agriculture," *Analyst*, March 1993, Vol. 18, pp. 281-287.

Obviousness-type Double Patenting Rejection

Claims 23-38 and 40-65 have been rejected under the judicially created doctrine of obviousness-type double patenting over claims of applicants' prior U.S. Patent No. 5,922,185.

Claims 23, 40, 41, 45, and 50 have been rejected under the judicially created doctrine of obviousness-type double patenting over claims of applicants' prior U.S. Patent No. 6,162,338.

Applicants have canceled claims 23-66. Applicants do not admit that newly added claims 67-73 would be properly rejected under the doctrine of obviousness-type double patenting rejection. However, for the purpose of expediting this application, Applicants file concurrently herewith a terminal disclaimer over U.S. Patent No. 5,922,185 and U.S. Patent No. 6,162,338, thus obviating any potential rejection.

New Claims

New Claims 67-73

Applicants have added independent claim 67 and dependent claims 68-73. Applicants respectfully submit that these newly added claims are free of the art of record and are therefore allowable. In particular, claims 67-73 are free from such art of record that recite Tris as an organic amine for use in a gel buffer. The present claims recite the use of bis(2-hydroxyethyl) iminotris (hydroxymethyl) methane. Although the action states that Tris has a pKa near neutrality, Applicants disagree

with this assertion and direct the Examiner's attention to page 15, lines 5-10 of the specification, which clearly recites that Tris has a pKa which is basic.

Further, Applicants submit that the added claims do not introduce new matter. Support for claims 67 and 73 can be found at least on page 12, lines 27-29 of the specification. Favorable consideration of these new claims is respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

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Version with markings to show changes made

In the Specification

On page 1 of the specification paragraph 1 has been amended as follows:

This application is a continuation of [copening application serial no.] Application No. 09/228,875, filed January 11, 1999, now U.S. Patent No. 6,162,338, which is a continuation[-in-part] of [application serial no.] Application No. 08/730,678, filed October 11, 1996, now U.S. Patent No. 5,922,185, which is a continuation-in-part of [application serial number] Application No. 08/221,939, filed March 31, 1994, now U.S. Patent No. 5,578,180.

In the Claims

Claims 23-66 have been cancelled.

Claims 67-73 have been added.